

DAVID GRAHAM PHILLIPS IS SHOT BY ANARCHIST WHO ENDS OWN LIFE

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FINAL EDITION

The



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BOLTERS' LINES WAVING; READY TO TREAT FOR PEACE

No Election To-Day in the Joint Session, but Senator Roosevelt Is Willing to Confer With Murphy.

(Special from a Staff Correspondent of The Evening World.)
ALBANY, Jan. 23.—After the Legislature had failed again to-day to elect a United States Senator in the joint session Senator Roosevelt, leader of the bolters, expressed a willingness to go into conference with Charles F. Murphy and try to reach an agreement.
This announcement followed the nomination by Gov. Dix of W. W. Farley of Binghamton as State Excise Commissioner. Farley is a follower of Charles F. Murphy. His nomination to-day, two months before there will be a vacancy, was regarded as significant. This fact, in addition to the indications that the insurgents are beginning to waver, give the Sheehanites renewed hope.

"I have talked to some of our fellows," said Roosevelt when asked about the possibility of a compromise. "and I can see that we are ready to go into a conference on ten minutes' notice. Such a conference can be held to-night if Mr. Murphy will say the word."

The Tammany boss does not arrive here until late this afternoon, and both Senator Wagner and Assemblyman Smith, the Democratic leaders, said they had heard no intimation of a conference.

The Vote To-Day.
On the face of the ballot to-day Sheehan was two votes short of that cast for him last Thursday before members were excused in pairs. One of these missing votes was that of Assemblyman Peter J. McElliot, who was excused to attend his own wedding.

Gov. John A. Dix was added to the list of candidates voted for. He received one vote, that of Assemblyman Kennedy of Queens County. One more legislator—Senator Loomis of Buffalo—broke away from the caucus instructions and voted against William F. Sheehan. Other breaks in the Sheehan ranks which had been expected did not develop.

Assemblyman La Beau of Buffalo surprised everybody by voting for Sheehan, though on Saturday he issued a statement declaring that thereafter his vote would be cast against Sheehan.
Sheehan to-day regained two insurgent votes, which were given to other candidates after the first ballot. Littleton also gained one vote in the Assembly and Parker's former following of seven dwindled to one.

Dix Will Not Interfere.
Gov. Dix this afternoon reiterated his statement that he had no advance knowledge of State Chairman Huppuch's statement.
"I have no criticism to make of the attitude of Mr. Huppuch," said the Governor.

He repeated that he proposed to continue his attitude of non-interference and that he wanted members of the Legislature in voting on this and all questions to obey the dictates of their own consciences and express the will of their constituents.

The injection of the name of Gov. Dix was not regarded seriously, but when Kennedy announced "John A. Dix" as his choice there was considerable excitement. Kennedy until to-day has voted for Parker. Tammany men declare that he will eventually come into the Sheehan camp. He has not signed the insurgent agreement nor has he attended any of their conferences.

At the close of the session La Beau of Buffalo offered as an explanation of his wobbly attitude the statement that he had received a score of telegrams from prominent Buffalo business men urging him to abide by the caucus. He does not know how he will vote to-morrow.

Protests Against Sheehan.
Legislators returning to Albany to-day are much disturbed by the demonstration of their constituents against Sheehan. One up-State man who has voted for Sheehan declared that 600 people called at his house Sunday to demand that he vote against Sheehan.

State Chairman Huppuch to-day said: "I have nothing to add to my statement of yesterday. I think I defined my position pretty clearly. I believe in party regularity and the rule of the majority."

Assemblyman Fry of Brooklyn, whom the Sheehan forces had hoped to win over as the result of pressure from his district organization, this afternoon issued a long statement, declaring that he would ignore these demands and continue to vote for Sheehan.

In response to a rumor that Sheehan would be elected by Republican votes or

CROKER CHARGES WIFE HAS HIDDEN \$40,000 SAVINGS

Gave Her \$87,300 Earnings of Lifetime, to Be Scorned in Home, Fire Chief Swears.

BLAMES HER CHUMS.

Says She Dyed Her Hair, Used Powder and Paint Excessively and Frequented Roadhouses.

The unhappy life of Fire Chief Edward F. Croker, who is forced, he says, to live as a recluse in the Great Jones street fire house, with his children and other relatives turned against him, was unfolded to-day before Justice Gerard in the Supreme Court when a motion was made by Mrs. Ella J. Croker, his wife, for \$500 a month personal allowance and \$500 counsel fees, pending her suit for separation against the Fire Chief.

Answering Mrs. Croker's claims that Croker receives a combined salary of \$12,000 a year; that he maintains an expensive automobile and chauffeur; that he owns stock in several corporations; and that before their separation in 1908 the Chief had maintained her in luxurious apartments in the Imperial and Bredin hotels, Croker set up a long list of denials and responded with a pitiful story of how he has been deserted. His answer is included in papers filed by David L. Naberger, his lawyer.

Says She Saved \$37,300.

From the time of his marriage in 1885 until January, 1908, Croker claims, he gave his wife every cent received by him in every grade of the Fire Department until at the time the couple parted she had accumulated \$37,300, which she had deposited in various banks "under an agreement to be in use for me absolutely." He has nothing now for all his years of work "except his clothing and his salary, and these are heavily mortgaged," his lawyer stated.

"Because they were frugal in habits, quiet in tastes and not lavish in dressing or expenditures," Croker believes his wife now has at least \$40,000 of his savings in banks out of the \$37,000 he says he has given her.

Scolded at Each Visit.
Taking up the coldness of his children, Robert and Edith, he states that Mrs. Croker would find fault with him every time his duties in the Fire Department allowed him to visit his home.

"She continuously called my attention," he says, "to the presence of my children, to other women, and would mention the names of the most reputable persons against whom there could not be a breath of suspicion, and because I had accepted invitations to parties with gentlemen and their wives, she would bring charges of impropriety against these persons."

"When professional women volunteered their services at any public function for the benefit of the Fire Department, their names were invariably interlinked with mine on charges of impropriety."

Asserting that his wife's association with a woman who "lived in New York and had no visible means of support," Croker swears:

"Time after time I repeatedly and persistently asked her to discontinue such association and public appearance in this woman's company. She persisted in driving through Central Park with this person and stopping at roadhouses. She also persisted in dyeing her hair. In January, 1908, returning home one day, I found my wife had changed the color of her hair. She also commenced the excessive use of powder and face paint."

Gave Her Every Cent.
"When I married her she was a salesgirl in a dry goods store, on a small salary. Her family lived in a cheap flat. I hoped when I married her and began to turn over every cent of my salary, which I continued until January, 1908, that she would appreciate the confidence I reposed in her. She never had any social position."

Regarding an affidavit made in behalf of his mother by his son and namesake—Edward F. Croker Jr.—the father's tale continues:

"I hope to be pardoned in not disclosing to the court all that I had to bear and the proper criticism which should be made upon the attitude of my son. They have been a heavy burden to me and have caused me a heavy heart and much sorrow. I was desirous of having him make a name for

SECRET SERVICE MEN CAPTURE 20 IN MEDICAL RAIDS

Get Four Wagon Loads of Literature and Medicine Preparations Besides.

USE OF MAILS CHARGE.

Big Crowds Attracted When Detectives and Police Invade Tenderloin Establishment.

Secret Service agents, assisted by Central Office detectives and precinct policemen, made spectacular raids this afternoon on two so-called medical institutes in the Tenderloin. In all twenty prisoners were taken, along with four patrol wagon loads of advertising matter, literature, medical preparations and office accounts.

The first round-up centered about the Collins Medical Institute at No. 149 West Thirty-fourth street. Post-Office Inspector Kincaid directed the operations. With him were two other Government inspectors—Sharon and Mayhew—a squad of plain clothes men and several policemen in uniform.

Shortly after the noon hour a procession of patrol wagons backed up at the curb in front of the old residence where the Collins Institute is located and the raiders swarmed into the building. While a big crowd watched in the street the invaders marched out their captives and then began filling the wagons with confiscated supplies.

Woman Left Under Guard.

They had a warrant for Mrs. Collins, for whom the establishment is named, but they found her sick in bed with typhoid fever in the living apartments on the upper floors. They left her there with a policeman on guard, but brought away everybody else they found on the premises who was in any way connected with the operation of the institute.

From Thirty-fourth street the inspectors with their police aides hurried down to the James J. Thompson Medical Company, at No. 312 West Twenty-seventh street. Here the earlier scene was repeated on a slightly smaller scale, but in the presence of an even larger and more appreciative audience.

Dr. J. J. Thompson, the proprietor, and his office staff of six men were rounded up and added to the first batch of captives. Thompson, who despite his name is a full-blooded Cuban, had a polyglot establishment. Every man in his office was a linguist and one of them knew seven tongues.

All Released but Eight.

While trucks were conveying the tons of stolen supplies and printed matter to the Federal Building, the patrol wagons with their human cargoes drove to Headquarters. There the groups were sifted out and all were released with the exception of eight men, who were taken to the Federal Building for arraignment before United States Commissioner Shields on the charge of using the mails for improper purposes.

Dr. Thompson, the head of the Thompson Institute, William H. Russell of Sea Cliff, L. Donaghy of the Collins Institute, and Dr. Samuel E. Hyndman, the resident physician, were held in bonds of \$5,000 for examination later. George Gordon Battle appeared for the two latter. Thompson was not represented by counsel.

The other five men who had been detained made affidavits and were then released as witnesses. They were mainly clerks and correspondents, and all of them were foreigners.

More Arrests Expected.

For some time post-office agents have been collecting testimony against certain self-styled medical institutes by New York, and it is probable that today's arrests will be followed by as good many more.

According to the evidence already in the hands of Inspector Kincaid the managers of these places have been sending out under sealed envelopes advertisements of cure and special remedies which abound in improper pictures and language.

At Thompson's establishment much of the literature was printed in foreign languages, being intended for circulation, it was said, in the Italian, Greek and Polish quarters of Western cities. Several truck loads of confiscated stuff reached the Federal Building shortly after 2 o'clock. Meanwhile policemen were left in charge of the places that had been visited, with orders to receive any mail that might arrive.

No patients were taken into custody either at Collins's or Thompson's.

NOVELIST PHILLIPS SHOT; ASSAILANT A SUICIDE

Novelist Phillips Who Was Shot Down on Street Near His Club



ROBIN INSANE SAY ALIENISTS WHITMAN CALLED

District-Attorney Tells of Report as Jerome Asks to Withdraw.

The question of the mental condition of Joseph G. Robin, the indicted banker, was important in the proceedings affecting him to-day. The District-Attorney announced that two of the three experts he retained to examine Robin had pronounced him insane and Mr. Jerome, counsel for the banker, retained permission from Judge Swann to file an application for the appointment of a commission in lunacy.

"At the time of Robin's arrest," said Mr. Whitman, "I employed Dr. Allan MacLane Hamilton, Dr. Smith Ely Jelliffe and Dr. William A. White of the Government Hospital at Washington to examine Robin at all his appearances and then examine him as an alienist in his quarters in the Tomb. The experts have made an exhaustive study of their subject and two of them have pronounced him insane."

"Their report is informal. I will not give the names of the doctors who examined Robin because they make their formal report. I will say that the opinion of the majority of the experts does not agree with my belief as to Robin's mental condition."

Jerome Asks to Withdraw.

Before Mr. Whitman had made his statement Mr. Jerome appeared before Judge Swann and announced his desire to withdraw from the defense of Robin. He based the desire on the ground that it is impossible for a lawyer to do justice to an insane man in the regular course of procedure in criminal courts.

"My client," said Mr. Jerome, "has been indicted on serious charges. When I went to his defense I was retained by his sister and knew absolutely nothing about the state of his mind."

"I have since learned from Dr. Austin

Fitzhugh Goldborough, Neighbor of the Novelist, Springs Upon Him on Street and Pours Five Bullets Into Him.

WOUND IN LEFT BREAST LIKELY TO PROVE MORTAL.

Victim Had Told Friends Letter-Writing Crank Was Annoying Him—Tragedy Occurs in Front of Princeton Club While Writer Was on Way to Luncheon.

David Graham Phillips, the author, was shot and seriously wounded this afternoon on the street in front of the Princeton Club, at Twenty-first street and Lexington avenue, by Fitzhugh Goldborough, a music teacher, of anarchistic tendencies, who lived at the Rand School of Social Science, No. 112 East Nineteenth street. Goldborough committed suicide after shooting Mr. Phillips five times.

Mr. Phillips was taken to Bellevue Hospital. The surgeons there decided that he had a chance for life, although five bullets struck him. His heavy overcoat impeded the bullets. Prof. Hotchkiss of the visiting staff of the hospital operated on the wounded author late this afternoon. He said that the shock of the tragedy had affected Mr. Phillips most seriously.

Unless complications set in, Mr. Phillips, who is athletic, young and in good physical condition, stands better than an even chance for recovery.

Had Ignored Begging Letters.

The cause of the shooting is believed to have been Mr. Phillips' failure to respond to begging letters sent to him by Goldborough. The novelist, whose home is across the street from where Goldborough lodged, is often approached by struggling young literary men.

About a month ago Mr. Phillips told his friends that he was being annoyed by a person who was writing him threatening and begging letters. One of the friends reported the matter to the police, and Detective O'Farrell was sent to see Mr. Phillips.

"I think I know who is writing the letters," said Mr. Phillips. "The man is not quite right mentally, but I don't believe there is any harm in him. There would be no use in making the thing up by an investigation and an arrest. I can take care of myself."

Goldborough is now appears, had been watching and following Mr. Phillips for some time. It is believed that, in addition to demanding money from the author, he had been sending him manuscripts which were returned to him. To some of the people living at the Rand School he spoke only yesterday of a young man who he claimed had been done again by Mr. Phillips.

Wondered Why He Was Shot.

William S. Moffatt of the Mott-Hart Company, Mr. Phillips' publisher, was with him when he was shot. He says Goldborough gave no warning. As the shooting began Mr. Phillips cried:

"My God! that man is shooting at me! What is he shooting me for?"

Goldborough is said to have attended Harvard University for one of a term. Mr. Phillips lived with his sister, Mrs. Caroline Everett, at the National Arts Club, No. 119 East Nineteenth street. It was his custom to walk from his home every day to the Princeton Club in Gramercy Square for his mail.

He was walking east in Twenty-first street this afternoon, and was just in front of the Princeton Club when his assailant, who was doubtless familiar with his habits and had been waiting for him, rushed toward him and began to shoot with a .38-caliber automatic revolver. Before the author knew what was happening, the weapon spat five shots at him.

Mr. Phillips did not fall. He staggered toward the Princeton Club. The man with the revolver watched him a moment and then said, sneeringly:

"There, I've got you now."

Apparently Goldborough thought that all his bullets had taken effect and that Mr. Phillips was dying. Battered in this belief, he placed the muzzle of the revolver of his right temple and fired a shot that pierced his brain. He dropped dead on the sidewalk in front of No. 112 East Twenty-first street and the body remained there for some time.

From papers found in Goldborough's

REBELS KILL 100 MEXICAN TROOPS TRAPPED IN HILLS

Storm of Bullets From Three Directions Showered on Government Force.

PRESIDIO, Tex., Jan. 22 (via Marfa, Tex., Jan. 23).—More than 100 soldiers were killed in a three-days' fight between the Mexican federal troops and insurgents in the mountains between Ojinaga and Cuernavaca. The government troops were caught in a trap and literally mowed down by a storm of bullets which swept their ranks from three directions. The insurgents occupied the cliffs and mountains and the soldiers were in the road with their only way of escape blocked. Of the two hundred men who went into the pass only forty escaped unhurt, so far as known. They joined the column under Col. Dorantes.

The revolutionists' loss is said to have been slight, only five men being killed, according to their reports.

TO DRINK TOAST TO DEAD AT THE LAST ROLL CALL.

(Special to The Evening World.)
PHILADELPHIA, Pa., Jan. 23.—The roll of the Philadelphia Grays of Civil War fame will be called to-night for the last time. No one will respond to his name, and sitting at a long table, the chairs around which will be turned down, Samuel M. W. Briggs, son of the last survivor of the once famous company, will drink a toast to their memory. This will be done in fulfilling the dying request of his father, who passed away last March.

Every year since 1865 the survivors of the Philadelphia Grays met in reunion on the night of Jan. 23. Year by year the number of survivors grew less, and for some years Sgt. Harry Briggs was the sole survivor. After his last comrade had died Briggs still kept up the reunion with the spirits of his former brothers-in-arms. While silent waiters placed food before him, and placed it also before each vacant chair, and removed it at the entrance of another course, Sgt. Briggs called the roll.

World Building Turkish Baths always open. Bath with private room, at 34th St. and Madison Ave. Bathing at 34th St. and 5th Ave.

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